



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,688	11/14/2005	Franz Fraenhoffer	710.1023	7431
23280 7590 11/10/2008 Davidson, Davidson & Kappel, LLC 485 7th Avenue 14th Floor New York, NY 10018				
EXAMINER				
SANTIAGO, LUIS F				
ART UNIT		PAPER NUMBER		
3624				
MAIL DATE		DELIVERY MODE		
11/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/534,688

Applicant(s)

FRAUENHOFFER ET AL.

Examiner

LUIS SANTIAGO

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16 - 30 is/are pending in the application.
- 4a) Of the above claim(s) None is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 16 - 30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 05/12/2005, 11/14/2005

DETAILED ACTION

Priority

1. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.
2. The cancellation of non-elected the claims 1 - 15 by applicant, in the reply filed on May 12, 2005, is hereby acknowledged. Claims 16-30 are pending.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 29 - 30 are drawn to a computer program per se. Computer programs per se intrinsically require no tangible physical structure, thus do not constitute tangible physical articles or other forms of matter. Therefore, computer programs per se are not considered to be statutory subject matter. To be statutory, a computer program must be: (1) coupled with or combined with some statutory physical structure, and, (2) produce or effect some useful, concrete, and tangible result. See MPEP § 2106.01...

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraph of 35 U.S.C.102 that form the basis for the rejections under this section made in this office action.

A person shall be entitled to a patent unless –

(e) the invention was described in:

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application

filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 16 – 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Guheen et al. (US 6,473,794) (Hereinafter referred to as Guheen).
6. With respect to **Claim 16**:
7. Guheen disclose a device for producing a processing tool arranged and configured to process at least one electronic workflow comprising working steps on a first data processing system, the device comprising:
 - a. a facility for producing an information model, the information model including data object types and relations between the data object types (Guheen, Col. 44, lines 35 - 40, “Enforcing project standards regarding repository objects Validating the contents of the repository to avoid redundancy and inconsistencies Ensuring accuracy of the repository contents so that the repository reflects the applications being developed Importing and exporting from one repository to another Maintenance of the information model (or metamodel), which describes how data is represented within the repository”);
 - b. a specifying facility for producing an electronic specification of a workflow, utilizing the information model (Guheen, Col. 76, lines 35 - 40, “At this level of integration, tools share a common repository of development objects, design documents, source code, test plans and data. Ideally, the repository would be a single database with an all-encompassing information model. Realistically, the repository must be built by integrating the repositories of the different development tools through interfaces”);

- c. a configuring facility for configuring a prescribed standard processing tool as a function of the specification, the prescribed standard processing tool including a prescribed data storage system (Guheen, Col. 73, lines 35 - 40, "Process Management may be categorized into two areas: Simple process integration 148, which concerns the simple integration of a sequence of tasks, according to a prescribed development methodology. Workflow management 150, which concerns more sophisticated situations where several complex processes require the participation of multiple groups") (Guheen, Col. 47, line 35, "Storage management concerns the methods of storing and retrieving media content"); and
- d. an adapting facility for adapting the prescribed data storage system to the information model (Guheen, Col. 47, lines 35 - 40, "Storage management concerns the methods of storing and retrieving media content. The cost of data storage may be decreasing, but it is still the case that for large volumes of media it is often uneconomical to store everything on-line. For this reason, process must be implemented to manage where data should be stored, and how it may be transitioned from one location to another. There are three ways to store data: On-line (Instant access, for example, hard disk) Near-line (delayed access, for example, CD-ROM jukebox) Off-line (manual access, for example, CDs or tapes on shelves");
- e. wherein the facility for producing the information model is arranged and configured for executing an operation for adding, deleting or changing data object types of a prescribed information model (Guheen, Col. 56, lines 35 - 40, "Efficient searches in the Help Desk database can, in some cases, be greatly facilitated by extending the basic

functionality of the Help Desk tool. This can be achieved, for example, by adding a smart word search capability on top of the Help Desk history database. Comprehensive training must be given to Help Desk personnel in order to ensure the best possible level of service to the developers”) (Guheen, Col. 78, lines 30 – 35, “Repository access control is important where developers in the development environment need to be assigned different rights to the repository. Typically, the developers will be placed in groups with diminishing access rights such as repository administrator, technical support, designer, or programmer. These access rights may relate to read/write/modify/delete authority. This method of access control is far more flexible than simple object locking”); and

f. for executing an operation for adding, deleting or changing relations between the data object types (Guheen, Col. 17, “The microprocessor card can add, delete, and otherwise manipulate information on the card, while a memory-chip card can only undertake a pre-defined operation”);

g. wherein the configuring facility is arranged and configured for executing an operation for selecting, adding, deleting, changing or linking working steps (Guheen, Col. 12, lines 15 – 25, “As an alternative to selecting products and services to sell, the present invention may specifically indicate which specific capabilities are available to potential clients or customers. As such, the present method of indicia coding is effective in showing such prospective clients or customers a comprehensive view of what it takes to implement solutions. Further, new opportunities may be identified through assessment of the displayed information”) (Guheen, Col. 78, lines 30 – 35, “Repository access control is important where developers in the development environment need to be assigned

different rights to the repository. Typically, the developers will be placed in groups with diminishing access rights such as repository administrator, technical support, designer, or programmer. These access rights may relate to read/write/modify/delete authority. This method of access control is far more flexible than simple object locking”) (Guheen, Col. 27, “Business press offers the following capabilities: WYSIWYG editing Simple interfaces for creating forms and image maps Integrated browsing and editing simultaneously “Check Links” function to fix broken links Database interaction Permissions setting work archive MiniWeb - site management tool that provides graphical overview of website structure”);

h. for executing an operation for selecting a data object type of the information model and producing a data object of a selected data object type (Guheen, Col. 39, lines 10 – 15, “The Project Management team is responsible for producing a deliverable or set of deliverables. As such, it is responsible for: Planning and control of delivery Milestones and schedule Resource consumption Risk and quality (at deliverable level”); and

i. for executing an operation for linking data objects with working steps. (Guheen, Col. 127, line 30, “In this case, the link between the repository and the external tools must be provided by a judiciously chosen set of procedures and custom integration tools.

8. With respect to **Claim 17**:

9. Guheen disclose the device of claim 16, further comprising a library with electronic standard workflows, each electronic standard workflow being assigned a standard processing tool, and, wherein the specifying facility is arranged and configured to execute an operation for selecting a standard workflow from the library and executing an operation for working on the

selected standard workflow, the configuring facility being arranged and configured for executing an operation for configuring a standard processing tool assigned to the selected standard workflow. (Guheen, Col. 21, "The Library Monitor allows event logging and notification, remote diagnostics, remote configuration, and remote monitoring of library activity and status"). (Guheen, Col. 31, line 40, "Flow of control: A program written with the aid of class libraries is still responsible for the flow of control (i.e., it must control the interactions among all the objects created from a particular library). The programmer has to decide which functions to call at what times for which kinds of objects").

10. With respect to **Claim 18**:

11. Guheen disclose the device of claim 17 wherein the library comprises at least one of electronic standard workflow for a supply management of a company manufacturing technical products, selected from the group consisting of: determination of strategies or prescribed specifications for order-placement decisions for a prescribed extent of procurement to at least one supplier, order placement of a predetermined extent of procurement to at least one supplier, handling of changes to at least one prescribed extent of procurement, recording or assessment of at least one supplier, monitoring of a procurement operation for a prescribed extent of procurement, cost reduction for a prescribed extent of procurement, forming of a cost target for at least one prescribed extent of procurement, and forming of a cost target for at least one cost type associated with at least one prescribed extent of procurement. (Guheen, Col. 46, lines 50 - 60, "Two main strategies exist. Folders can be organized by type of component so that one folder contains all the include files, one folder contains the source modules, one folder contains executables, and so on. Folders can also be organized functionally so that all the common

components reside in one folder and each application area stores its components in its own folder. Choosing the strategy depends on how components are named, on the number of components, and on the tools used. If naming standards make it easy to identify the component type (for example, by using suffixes), organizing them by functional area is generally useful and straightforward to administer. Some tools assume that closely linked files (for example, source and object modules) reside in the same folder”). (Guheen, Col. 73, lines 35 - 40, “Process Management: Process Management may be categorized into two areas: Simple Process integration 148, which concerns the simple integration of a sequence of tasks, according to a prescribed development methodology. Workflow management 150, which concerns more sophisticated situations where several complex processes require the participation of multiple groups”).

12. With respect to **Claim 19**:

13. Guheen disclose device of claim 16 wherein the information model comprises a data object type for component types, a data object type for suppliers and a data object type for extents of procurement, and wherein the data object type for extents of procurement is connected by a respective relation to the data object type for component types and the data object type for suppliers. (Guheen, Col. 44, lines 30 - 40, “Repository Management includes activities such as: Monitoring and controlling update activities in the repository Receiving and validating data element change requests Creating and modifying data elements Enforcing project standards regarding repository objects Validating the contents of the repository to avoid redundancy and inconsistencies Ensuring accuracy of the repository contents so that the repository reflects the applications being developed Importing and exporting from one repository to another

Maintenance of the information model (or metamodel), which describes how data is represented within the repository”).

14. With respect to **Claim 20**:

15. Guheen disclose the device of claim 19 further comprising a facility for producing a data object generator and for integrating the generator in the processing tool and the data object generator being arranged and configured to generate a first data object of the data object type for extents of procurement and data objects of the data object type for suppliers and of the data object type for component types, the first data object being arranged and configured for connectability to the data objects by relations during an entire processing of the electronic workflow. (Guheen, Col. 98, lines 35 - 40, “Data modeling tools allow DDL to be generated from the data model. The tools should support DDL generation for the chosen RDBMs (Sybase, Oracle, DB2). In addition, the DDL generator should take advantage of the specific advanced features supported by each of the RDBMs”). (Guheen, Col. 100, line 40, “Some products will also include report generators which are useful for generating data and attribute definition reports as well as ad hoc reports”).

16. With respect to **Claim 21**:

17. Guheen disclose the device of claim 20 wherein the information model comprises a data object type for partial extents of procurement, connected by a relation to the data object type for suppliers, and wherein each data object of the data object type for partial extents of procurement being arranged and configured for connect ability to at most one data object of the data object type for suppliers during processing. (Guheen, Col. 23, “BuyerProduct1 - An Internet-based corporate procurement application that automates order and delivery, supports complex trading

relationships, and allows for the exchange of information via EDI or the Internet. PublishingProduct1 - An application that utilizes both passive and active customer profiling capabilities to create targeted advertising, and to deliver personalized information for superior customer service. Content management tools are combined with application development tools to allow to host and deploy multiple sites. MerchantProduct1 - An online business-to-consumer merchandising solution that provides the following features: A single shopping cart for each customer, forms filled with predefined account information, tax calculation and discounts, product availability, and up-to-date order status information. Payment systems, catalog creation and administration tools, an order management system, and rapid customization of a site's business process through modifiable business rules and presentation templates").

18. With respect to **Claim 22**:

19. Guheem disclose the device of claim 16, further comprising a library of standard business rules which relate to data object types and working steps, and a facility for selecting standard business rules. (Guheen, Col. 21, "SellerProduct1 - An application designed to support advanced business- to -business selling over the Internet. SellerProduct1 allows for the enforcement of trading partner agreements and business rules. SellerProduct1 provides the capability to create company-specific catalogs which can be set up to present different products to different users based upon purchase eligibility. SellerProduct1 includes search features, management tools, and order management (including tax, shipping, and payment services)").

20. With respect to **Claim 23**:

21. Guheem disclose the device of claim 16 wherein the facility for producing the information model further comprises a facility for producing a data model compatible with the

information model by using the Unified Modelling Language. (Guheen, Col. 78, line 5, "Engagement teams often chose a tool that can be used in other areas of the development environment. Many Engagement teams select data modeling tools that can double as Information Management tools. Using one tool for multiple purposes results in fewer integration points in the architecture and less time and cost training personnel on multiple"). (Guheen, Col. 65, line 65, "Standards and Procedures: Important standards include: Programming standards for each programming language, including procedural languages, job control languages, and data access languages Test documentation standards Important procedures include: Code generation procedures, including pre -processing of the code shell and post -processing of the generated code Testing procedures Test -data handling and common test - data usage Procedures for functional and technical reviews Code review checklist Migration procedures which specify how to make common modules public; Important guidelines include: Usability guidelines Shell usage guidelines Tools usage guidelines").

22. With respect to **Claim 24**:

23. Guheem disclose a method for producing a processing tool, the processing tool processing at least one electronic workflow comprising working steps on a first data processing system, and a second data processing system being used for producing the processing tool, the method comprising the steps of: producing an information model for the workflow, the step of producing being carried out by adapting a prescribed information model and, during the adaptation, executing an operation for adding deleting or changing data object types and relations between data object types, producing a specification of the workflow by using data object types and relations of the adapted information model, adapting a standard processing tool comprising a

prescribed data storage system to the adapted information model, adapting the prescribed data storage system to the adapted information model, and configuring the adapted standard processing tool as a function of the specification. (Guheen, Col. 188, lines 55 - 65, "However, although a computer on an SSL connection may initiate a second SSL connection to another computer, a drawback to the SSL approach is each SSL connection supports only a two - computer connection. Therefore, SSL does not provide a mechanism for transmitting encoded information to a merchant for retransmission to a payment gateway such that a subset of the information is readable to the payment gateway but not to the merchant. Although SSL allows for robustly secure two-party data transmission, it does not meet the ultimate need of the electronic commerce market for robustly secure three-party data transmission. Other examples of general-purpose secure communication protocols include Private Communications Technology ("PCT") from Microsoft, Inc., Secure Hyper-Text Transport Protocol ("SHTTP") from Terisa Systems, Shen, Kerberos, Photuris, Pretty Good Privacy ("PGP") which meets the IPSEC criteria. One of ordinary skill in the art readily comprehends that any of the general-purpose secure communication protocols can be substituted for the SSL transmission protocol without undue experimentation").

24. With respect to **Claim 25**:

25. Guheem disclose the method of claim 24 comprising the further steps of:

- j. selecting at least one electronic workflow from a library of electronic standard workflows with working steps, each electronic standard workflow being assigned a standard processing tool, assigning the adapted standard processing tool to the selected standard workflow, and in the production of the specification, adapting the selected

standard workflow to the workflow to be processed to thereby modify the working steps of the standard workflow. (Guheen, Col. 49, lines 55 - 60, "The CIP then plans and manages improvement related activities such as: Define explicit criteria for assigning priority Consider raising the priority of low-priority opportunities that can be completed quickly Maintain a mix of high-priority and sure successes to ensure the continued momentum of the Continuous Improvement program Define the opportunity selection process Identify the resource allocation process Define the scheduling process Identify how the effort will be monitored Identify the procedure for communicating results to the organization Establish a continuous improvement organization to support the process Prioritize and classify opportunities Select projects Allocate resources and scheduling monitor effort Support a standard process improvement process across the project").

26. With respect to **Claim 26**:

27. Guheen disclose the method of claim 24 comprising the further step of producing a source program for the processing tool, the source program being executable after translation into a machine language on the first data processing system. (Guheen, Col. 39, lines 10 - 15, "The Project Management team is responsible for producing a deliverable or set of deliverables. As such, it is responsible for: Planning and control of delivery Milestones and schedule Resource consumption Risk and quality (at deliverable level)"). (Guheen, Col. 126, lines 25 - 40, "Tools to handle these images range from simple paint packages to highly complex multi-layered animation graphics packages. The images created by these tools may be pixel-based (bitmaps) or vector-based, each with their own advantages. Pixel-based tools (traditional graphics and image processing tools) offer more image flexibility especially in terms of color gradation and shading,

but produce relatively large files. This format is therefore useful where the use of high-quality textured images, or highly colored images is important, but where file storage and transmission is not an issue (where the media content is local to the client application, such as in a kiosk). Vector-based tools (where the image is defined by formulae rather than pixel position) offer much smaller file sizes, and dynamic image re-sizing, while producing excellent print quality, but cannot easily handle shading and color gradation. This format is more appropriate where file size is an issue (web pages”).

28. With respect to **Claim 27**:

29. Guheen disclose the method of claim 24, comprising the further step of: by analysis of the processing tool produced, determining working steps of the electronic workflow having influence on a processing time of the processing tool. (Guheen, Col. 38, lines 15 - 20, “Folders (or directories) can be very useful in gaining control over the overwhelming amount of information produced on a large project. Their utility greatly increases if they are managed appropriately. This management is based on easy-to-follow, easy-to-enforce standards”). (Guheen, Col. 60, line 65, “Problem Management is generally associated with the discrepancies that result from the testing process, though it may also be applied to the management of design problems detected during verification or validation steps. Problem Management is a crucial process in the system development life cycle. It ensures that quality software is designed, developed, and tested so that initial benefits defined in the business case are in fact realized. A development environment must have a formally defined problem management process to ensure that this objective is met”).

30. With respect to **Claim 28**:

31. Guheem disclose the method of claim 24 comprising the further steps of: producing a second processing tool for processing a further electronic workflow, determining for each of the processing tool and the second processing tool average numbers of generated screen forms, of required screen interactions, of databank reading accesses and of databank writing accesses, and producing a comparison of a workflow and a second further workflow in respect of the average numbers. (Guheen, Col. 29, lines 30 - 60, "In general, OOP components are reusable software modules which present an interface that conforms to an object model and which are accessed at run-time through component integration architecture. Component integration architecture is a set of architecture mechanisms which allow software modules in different process spaces to utilize each others capabilities or functions. This is generally done by assuming a common component object model on which to build the architecture. It is worthwhile to differentiate between an object and a class of objects at this point. An object is a single instance of the class of objects, which is often just called a class. A class of objects can be viewed as a blueprint, from which many objects can be formed. OOP allows the programmer to create an object that is a part of another object. For example, the object representing a piston engine is said to have a composition-relationship with the object representing a piston. In reality, a piston engine comprises a piston, valves and many other components; the fact that a piston is an element of a piston engine can be logically and semantically represented in OOP by two objects. OOP also allows creation of an object that "depends from" another object. If there are two objects, one representing a piston engine and the other representing a piston engine wherein the piston is made of ceramic, then the relationship between the two objects is not that of composition. A ceramic piston engine does not make up a piston engine. Rather it is merely one kind of piston

engine that has one more limitation than the piston engine; its piston is made of ceramic. In this case, the object representing the ceramic piston engine is called a derived object, and it inherits all of the aspects of the object representing the piston engine and adds further limitation or detail to it. The object representing the ceramic piston engine "depends from" the object representing the piston engine. The relationship between these objects is called inheritance").

32. With respect to **Claims 29 and 30**:

33. Guheem disclose a computer program which can be loaded directly into the internal memory of a computer and comprises software modules with which a method for producing a processing tool is executed, the processing tool processing at least one electronic workflow comprising working steps on a first data processing system, and a second data processing system being used for producing the processing tool, the method can be executed when the program runs on a computer, the method comprising the steps of: producing an information model for the workflow, the step of producing being carried out by adapting a prescribed information model and, during the adaptation, executing an operation for adding deleting or changing data object types and relations between data object types, producing a specification of the workflow by using data object types and relations of the adapted information model, adapting a standard processing tool comprising a prescribed data storage system to the adapted information model, adapting the prescribed data storage system to the adapted information model, and configuring the adapted standard processing tool as a function of the specification. (Guheen, Col. 51, lines 55 - 65, "Packaging is the combination of systems software and application component configurations (source code, executable modules, DDL and scripts, HTML) together with their respective documentation. It may also include the test-data, test scripts, and other components

that must be aligned with a given version of the configuration. Packaging allows the grouping of components into deliverable packets of application software that can be developed, tested, and eventually delivered to the production environment. Packaging defines the underlying architecture that drives version, change, and migration control. Each of these control process defines how changes to configuration packages are versioned and migrated to the various development and test phases in the systems development life cycle”). (Guheen, Col. 52, lines 40 - 45, “Version control and compatibility are key considerations when managing these packages. Note that version control not only applies to software components, but also to all components of a given package, including test scripts, test data, and design documentation. It is also of great importance to keep track of which version is in which environment. If incompatibilities are discovered, it must always be possible to “roll back” to a previous consistent state, that is, to revert to an earlier version of one or more components”). (Guheen, Col. 52, lines 60 - 65, “Migration Control: A systems building environment can have many development and test stages. On a large project these may include: Development and unit test Assembly test System test Integration test User acceptance test; Migration of packages or consistent configurations from one stage to another is a central part of Configuration Management. The key to successful migration is the knowledge of what constitutes each stage. Examples of migration include: Migration from development and unit test to system test Migration from user acceptance test to production Migration of development tools from the Technology Architecture team to the developers on the project Migration of architecture components from the Technology Architecture team to the developers on the project Stages and their constituents exist as a result

of certain user and technical requirements. The technical requirements are derived from the user requirements").

Conclusion

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed Luis Santiago whose telephone number is (571) 270-5391. The examiner can normally be reached Monday to Friday from 7:30 to 5:00.

35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

36. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. Status Information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/LFS/

November 3, 2008

/Bradley B Bayat/

Supervisory Patent Examiner, Art Unit 3624